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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 **-oOo-**

9 JEREMY TYSON,) Case No. 2:18-mj-0047-PAL
10)
10 DEANDRE SPENCER, and) Stipulation to Continue
11) the Preliminary Hearing
11 SHAKEYA JOSEPH,) (*First Request*)
12)
12 Defendants.)
13)

14 IT IS HEREBY STIPULATED AND AGREED, by and between DAYLE
15 ELIESON, United States Attorney, and CRISTINA D. SILVA, Assistant United
16 States Attorney, counsel for the United States of America, RACHEL KORENBLAT,
17 ESQ., counsel for Defendant JEREMY TYSON, RICHARD A. WRIGHT, ESQ.,
18 counsel for Defendant DEANDRE SPENCER and WILLIAM H. BROWN, ESQ.,
19 counsel for SHAKEYA JOSEPH , that the preliminary hearing date in the above-
20 captioned matter, currently scheduled for January 29, 2018, at 4:00 pm, be vacated
21 to a date and time convenient to this Honorable Court but in any event no sooner
22 than 30 days.

23 This stipulation is entered into for the following reasons:
24

1 1. The parties have initiated discussions regarding possibly resolving
2 the case pre-indictment. Additional time is needed for defense counsel to receive
3 and review the discovery in order to engage in negotiations.

4 2. The parties agree to the continuance.

5 3. Defendant SPENCER is incarcerated, but does not object to the
6 continuance. Defendants TYSON and JOSEPH are released on a personal
7 recognizance bond and do not object to the continuance.

8 4. Additionally, denial of this request for continuance could result in a
9 miscarriage of justice.

10 5. The additional time requested herein is not sought for purposes of
11 delay, but to allow for a potential pre-indictment resolution of the case.

12 6. The additional time requested by this stipulation, is allowed, with the
13 defendant's consent under the Federal Rules of Procedure 5.1(d).

14 7. This is the first request for a continuation of the preliminary hearing.

15 DATED this 23rd day of January, 2018.

16
17 Respectfully submitted,
18 DAYLE ELIESON
 United States Attorney

19 //s// Rachel M. Korenblat
20 RACHEL M. KORENBLAT
 Counsel for Defendant, JEREMY TYSON

//s// Cristina D. Silva
 CRISTINA D. SILVA
 Assistant United States Attorney

21 //s// Richard A. Wright
22 RICHARD A. WRIGHT
 Counsel for Defendant, DEANDRE SPENCER

23 //s// William H. Brown
24 WILLIAM H. BROWN
 Counsel for the Defendant, SHAKEYA JOSEPH

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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JEREMY TYSON,)	Case No. 2:18-mj-0047-PAL
)	
DEANDRE SPENCER, and)	Stipulation to Continue
)	the Preliminary Hearing
SHAKEYA JOSEPH,)	(<i>First Request</i>)
)	
)	
Defendants.)	

ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties have initiated discussions regarding possibly resolving the case pre-indictment. Additional time is needed for defense counsel to receive and review the discovery in order to engage in negotiations.
2. The parties agree to the continuance.
3. Defendant SPENCER is incarcerated, but does not object to the continuance. Defendants TYSON and JOSEPH are released on a personal recognizance bond and do not object to the continuance.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice.
5. The additional time requested herein is not sought for purposes of delay, but to allow for a potential pre-indictment resolution of the case.

6. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

7. This is the first request for a continuation of the preliminary hearing.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the preliminary hearing date.

CONCLUSIONS OF LAW


The ends of justice served by granting said continuance outweigh the best interest of the public and the defendants, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein to potentially resolve the case prior to indictment, and further would deny the parties sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account the exercise of due diligence.

The continuance sought herein is allowed, with the defendants' consent, pursuant to Federal Rules of Procedure 5.1(d).

ORDER

IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for January 29, 2018, at the hour of 4:00 pm, be vacated and continued to **March 1, 2018**, at the hour of 4:00 p.m.

DATED 2nd day of February, 2018.


THE HONORABLE PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE